

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA)
)
 v.) CR. NO. 2:06cr110-WHA
)
FREDERICK J. BURRELL)

MOTION TO CONTINUE SENTENCING

Comes now the United States of America, by and through Leura G. Canary, United States Attorney for the Middle District of Alabama, and as grounds for this Motion, states as follows:

1. Sentencing for the above referenced defendant is presently scheduled for February 20, 2008, before the Honorable W. Harold Albritton.
2. Defendant has agreed to cooperate and the United States respectfully requests that sentencing be continued for 120 days to permit the defendant to continue his cooperation.
3. Continuance is requested because the defendant is expected to testify as a Government witness in the matter of United States v. Kala Dennis, Criminal No. 2:07cr101-MEF, which is scheduled for trial on April 7, 2008. A continuance until after the Dennis case is concluded would allow both the Government and the Court to fully evaluate Mr. Burrell's cooperation and avoid the need for a Rule 35 motion after sentencing.
4. Defense counsel for Defendant Burrell has been contacted and has no objection to a continuance.

Based upon the above stated reasons, the United States respectfully requests a continuance in the sentencing of this case.

Respectfully submitted this the 4th day of January, 2008.

LEURA G. CANARY
UNITED STATES ATTORNEY

/s/Andrew O. Schiff
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CERTIFICATE OF SERVICE

I hereby certify that on January 4, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Kevin Butler, Esq.

Respectfully submitted,

/s/Andrew O. Schiff
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